

FORTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, March 10, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the chaplain.

The journals of yesterday should have showed that Senator Ireland offered the following amendments to deficiency bill in State Department:

“For pay of Sheeks & Sneed, and Terrell & Walker, \$4000.” Lost.

Senator Ireland offered the following amendment:

“For pay of Sheeks & Sneed, and Terrell and Walker, \$3000.” Lost.

Senator Ireland, Chairman Judiciary Committee, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary, to whom was referred House bill No. 687, “An act relating to holding a justice’s court in the town of Terrell, in Kaufman county,” instruct me to report same back with an amendment, inserting the word “territorial,” before the word “jurisdiction,” and recommend its passage, as amended.

IRELAND, Chairman.

Senator Friend, for Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 802, “An act to amend section 2 of ‘an act to reorganize the Seventh, Eighth and Eleventh Judicial Districts, and fix the time of holding courts therein.’” approved April 17th, 1874. Senate joint resolution No. 805, “Joint resolution making it the duty of the Attorney General to institute legal proceedings in certain cases,” and find both of same correctly engrossed.

FRIEND, for Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly en-

rolled the following Senate bills, viz: Senate bill No. 462, "An act entitled 'an act to authorize the State Treasurer to appoint an additional clerk, and fix his compensation.'" Senate bill No. 566, "An act to encourage the construction of canals and ditches for navigation and irrigation," and Senate bill No. 738, "An act granting further time to the Galveston, Harrisburg and San Antonio Railway Company, and allowing it to change the route of said road," and have this 10th day of March, 1875, at 9:30 o'clock A. M., presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

Senator Stirman, Chairman Committee on State Affairs, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs report back to your honorable body, House bill No. 807, "An act to validate corporative election for the town of Elgin, in Bastrop county," and recommend its passage.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs ask leave to report back to your honorable body, House bill No. 795, "An act to create the office of public weigher, and regulating the appointment, and defining the duties and liabilities thereof," and recommend its passage with the following amendment: In section 8, after the word "person," in 14th line, and the word "from," in 15th line, insert the words "or authorized agent."

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs, to whom was referred House bill No. 756, "An act for the relief of Captain Peter Tomlinson," instruct me to report it back, with the recommendation that it do pass. W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs ask leave to report back to your honorable body, House bill No. 781, "An act to prohibit the sale or disposal of intoxicating liquors within four miles of White's Mill and Schoolhouse, in Hill county, and Concord Schoolhouse, in Anderson county," and recommend its passage with the following amendments: In

caption, strike out the word "four," before the word "miles," and insert the word "two."

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs ask leave to report back to your honorable body, House bill No. 719, "An act making an appropriation to pay the commissioners appointed to appraise the alternate sections of land, as surveyed by railroad companies, and set apart for common schools," and recommend its passage.

W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs ask leave to report back to your honorable body, House bill No. 822, "An act to further define legal holidays in Texas," and recommend that it do not pass. W. B. STIRMAN, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on State Affairs ask leave to report back to your honorable body, House bill No. 725, "An act to amend section one of an act entitled 'an act to authorize the city of Austin to become a stockholder in any company or corporation for the purpose of supplying said city with water and gas,'" and recommend its passage.

W. B. STIRMAN, Chairman.

Senator Wood introduced a bill entitled "An act to create an auditorial board to ascertain and authenticate the unsettled outstanding liabilities of the State." Read first time.

On motion of Senator Wood, the rules were suspended and bill read second time.

• Senator Dillard moved that the bill be referred to Committee on State Affairs.

The hour having arrived for the consideration of the special order, to-wit: Senate bill No. 755, "An act to ascertain the deficiencies of the several departments of the State for the fiscal year ending the 31st day of August, A. D. 1875; and amounts due individuals, and to appropriate money to pay the same," it was taken up, pending an amendment offered by Senator Erath, to the school department, said amendment reading as follows: "For

the payment of State warrants issued to school teachers, for services rendered prior to the year 1874, \$200,000."

The amendment was lost.

A message was received from the House as follows:

The passage of House bill No. 855, "An act to amend an act entitled 'an act encouraging stock raising, and for the protection of stock raisers.'"

Also, House bill No. 854, "An act creating the office of Assistant Attorney General, defining his duty and fixing his salary."

Also, House bill No. 852, "An act to legalize the official acts of J. S. Perry, Notary Public of Milam county."

Also, House bill No. 851, "An act to amend an act entitled 'an act to provide for the employment of convicts for petty offenses.'"

Also, House bill No. 390, "An act regulating the incorporation of cities of one thousand inhabitants or over, and to provide for the substitution and repeal of all acts heretofore passed incorporating said cities which may be in force by virtue of any existing charter."

Also, Senate bill No. 753, "An act to incorporate the Central Narrow Gauge Railway Company."

Also, Senate bill No. 677, "An act for the relief of Oscar M. Jackson. Also, that the House refused to recede from its first amendment to Senate joint resolution No. 452, "To provide for a convention to frame a constitution for the State of Texas," and has receded from its second and third amendments, and asks the appointment of a conference committee on disagreement between the two Houses; and that the House had appointed Representatives Sayers, Smith of Grimes, Munson, DeMorse, Triplett, Henderson of Smith, Johnson, Scott and Henderson of Kendall.

Senator Dwyer, for Committee on Enrolled Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, Senate bill No. 740, "An act providing for expenses of extradition of criminals under treaty between the United States of America and the United Mexican States," and have this 10th day of March, 1875, at 11 o'clock A. M., presented the same to the Governor for his approval.

JOSEPH E. DWYER, for Committee.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 685, "An act to provide for the election and qualification of assessors and collectors of taxes," and find the same correctly engrossed.

JOSEPH, for Committee.

On motion of Senator Baker, lines five and six, under head of "school department," were stricken out.

Senator Westfall offered the following amendment :

Amend, after line seventeen, on page four, after school department, as follows : Immigration Department—John Cardwell, in full for dues on publications, authorized under an act of 1873, General Laws, Thirteenth Legislature, page 160, \$3,251.66.

Senator Moore offered the following as a substitute for the amendment offered by Senator Westfall :

"That the agent of Bureau of Immigration be authorized to purchase said pamphlets on emigration from said Cardwell, and pay for same out of the five thousand dollars appropriated, to be used by said agent in publishing statistical information for the interest of immigrants." Lost.

The question then recurring on the amendment offered by Senator Westfall, it was adopted by the following vote :

YEAS—Senators Ball, Camp, Dwyer, Erath, Friend, Ireland, Joseph, Ledbetter, Morris, Parker, Russell, Shepard, Stirman, and Westfall—14.

NAYS—Senators Allison, Baker, Bradshaw, Bradley, Burton, Dillard, Davenport, Ellis, Flanagan, Moore, Swift and Wood—14.

Senator Ellis offered the following amendment :

Amend School Department, after line twelve, by adding : "For P. W. Huddleston, deputy tax collector of Lavaca county, amount of school tax for 1873, over paid by him, \$200, to be paid out of the apportionment of the school fund to Lavaca county." Adopted.

Senator Baker offered the following amendment : On page four, line fourteen, erase "\$7,000" and insert "\$7,200."

Senator Baker offered the following amendment : Strike

out on page four, line seventeen, “\$1,261.33,” and insert “\$1,440.98.” Adopted.

Senator Wood offered the following amendment to State Department: “For pay of clerks for making abstract of deeds and revising tax rolls, under tax law of 1870, \$2,000.” Adopted.

Senator Wood offered the following amendment:

Amend by adding for Treasurer’s Department: “Furniture, \$150; contingent, \$150.” Adopted.

* Senator Ball offered the following amendment:

Amend by inserting in line fifteen, page five, of frontier department, the words: “For loss of horses, by Lieut. J. L. Wilson, to be paid out of frontier appropriation, made by the present session of the Legislature, \$250.” Lost.

The bill, as amended, was then ordered engrossed.

On motion of Senator Dillard, the rules were suspended, bill read third time and passed, by the following vote:

YEAS—Senators Ball, Baker, Camp, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Joseph, Ledbetter, Parker, Russell, Shepard, Swift and Westfall—17.

NAYS—Senators Allison, Bradshaw, Bradley, Burton, Davenport, Flanagan, Morris, Moore, Stirman and Wood—10.

Senator Wood made a point of order, that the bill had not passed—claiming that it required a two-third vote—as there were appropriations in it for private individuals.

The President submitted the question to the Senate, the question as to whether this bill required a two-third vote. The Senate voted it did not, by the following vote:

YEAS—Senators Allison, Bradley, Burton, Davenport, Ellis, Flanagan, Ledbetter, Morris, Moore, Stirman, Swift and Wood—12.

NAYS—Senators Ball, Baker, Bradshaw, Camp, Dillard, Dwyer, Erath, Friend, Hobby, Ireland, Joseph, Parker, Russell, Shepard and Westfall—15.

The President then announced that the bill had passed.

On motion of Senator Stirman, the rules were suspended, and House bill No. 755, “An act to amend ‘an act to define the Tenth Judicial District of the State of Texas, and to prescribe the times for the holding of the courts therein,’” approved March 5, 1874, was taken up, read second time.

Senator Stirman offered the following amendment:

Amend by substituting for all of the bill, the following, after the word “week,” in 20th line: “In the county of

Van Zandt on the fifth Monday after the first Monday in October, February and June, and may continue in session two weeks; in the county of Henderson, on the seventh Monday after the first Monday in October, February and June, and may continue in session two weeks; in the county of Anderson, on the ninth Monday after the first Monday in October, February and June, and may continue in session four weeks; in the county of Smith, on the thirteenth Monday after the first Monday in October, February and June, and may continue in session four weeks; and all laws or parts of laws in conflict with this act, be and they are hereby repealed, and this act shall be in force from and after its passage." Adopted.

The bill, as amended, then passed to third reading.

On motion of Senator Stirman, the rules were suspended, bill read third time and passed.

On motion of Senator Friend, the rules were suspended, and Senate bill No. 306, "An act better defining the powers and duties of sheriffs and constables," was taken up, pending House amendments.

The House amendment was concurred in.

On motion of Senator Baker, the rules were suspended, and Senate joint resolution No. 658, "To amend sections six and seven, of article 5, and sections 45 and 46 of article 12, of the constitution," was taken up.

Senator Burton offered the following amendment:

Article 4th, Executive Department, section 5, shall hereafter read as follows: "The Governor shall at stated times receive a compensation for his services, which shall not be increased nor diminished during the term for which he may have been elected.

His annual salary shall be four thousand dollars, until otherwise provided by law, exclusive of the use and occupation of the Governor's mansion, fixtures and furniture." Lost.

The question recurring on the final passage of the joint resolution, it passed by the following vote:

YEAS—Senators Allison, Baker, Bradley, Burton, Camp, Dillard, Ellis, Erath, Flanagan, Hobby, Ireland, Ledbetter, Morris, Moore, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—21.

NAYS—Senators Ball, Bradshaw, Davenport, Friend and Shepard—5.

Senator Shepard made a point of order, that the joint

resolution had not passed; that the resolution contained separate and distinct amendments to the constitution, which had not been read on three several days, as required by the constitution; and that such amendments as had not been read as required, should not be engrossed as a part of the resolution.

The President of the Senate decided that the constitution requires that all amendments should be read on three several days in each House, and that his decision is dependent on a question of *fact*, as to whether these amendments now embodied in this joint resolution, *have* been read three separate days in the Senate. From the endorsements on the bill, stating that the same has been read on two days preceding this day, as well as from the statements of Honorable Senators made from their places, and his own recollection, he decides that in his opinion they have been read as the constitution requires, and this bill passed.

Senator Shepard appealed from the decision of the chair.

Senator Hobby moved the previous question. Previous question ordered. The decision of the chair was sustained by the following vote:

YEAS—Senators Allison, Baker, Bradley, Camp, Davenport, Erath, Flanagan, Friend, Hobby, Ledbetter, Morris, Moore, Parker, Randle, Russell, Stirman, Swift, Westfall and Wood—19.

NAYS—Senators Ball, Bradshaw, Dillard, Dwyer, Ellis, Ireland, Joseph and Shepard—8.

Senator Hobby moved to reconsider the vote passing the joint resolution, and to lay the motion to reconsider on the table. Carried.

A message was received from the House, announcing the passage of Senate bill No. 718, "An act to incorporate the Waco, Belton and Gatesville Turnpike Company," with an amendment by the House.

On motion of Senator Erath, the rules were suspended, and Senate bill No. 718, "An act to incorporate the Waco, Belton and Gatesville Turnpike Company," with an amendment from the House, was taken up.

On motion of Senator Erath, the amendment was concurred in.

Senator Ireland, by leave, introduced a bill, entitled "An act to authorize the board of trustees of school district No. 1, in the county of Gonzales, to levy a tax upon the property within said district for the purpose of raising funds

to pay the balance of the purchase money of public school building within said district, and for repairs on same." Read first time.

On motion of Senator Ireland, the rules were suspended, bill read second time and ordered engrossed.

On motion of Senator Ireland, the rules were suspended, bill read third time and passed.

Senator Dwyer, for Committee on Enrolled Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills, ask leave to report that they have carefully examined, and find correctly enrolled, Senate bill No. 804, "An act for the relief of the International Railroad Company, now consolidated with the Houston and Great Northern Railroad Company," and have this 10th day of March, 1875, at 12:15 o'clock P. M. presented the same to the Governor for his approval.

JOS. E. DWYER, for Committee.

Senator Joseph, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 757, "An act to incorporate the Austin Water Works Company, and to grant State aid thereto," and find the same correctly engrossed.

JOSEPH, for Committee.

On motion of Senator Baker, the rules were suspended, and Senate bill No. 648, "An act to incorporate the Gulf, Austin and Northern Railway Company," was taken up, pending House amendment.

On motion of Senator Baker, the Senate concurred in the first House amendment.

On motion of Senator Baker, the Senate refused to concur in the third House amendment.

On motion of Senator Baker, the Senate refused to concur in the fourth House amendment.

On motion of Senator Baker, the Senate concurred in the fifth House amendment.

On motion of Senator Bradley, the rules were suspended and Senate joint resolution No. 452, "Providing for a convention to frame a constitution for the State of Texas,"

with an amendment by the House, in which the Senate refused to concur, and from which the House refused to recede, it was taken up.

Senator Dillard moved that the Senate recede from its action in refusing to concur in the said House amendment.

Senator Ireland introduced a bill entitled "An act to incorporate the Texas Female Institute, and to grant lands in aid of the same." Read first time and referred to Committee on Education.

On motion of Senator Parker, the Senate adjourned until 3 o'clock P. M., this evening.

EVENING SESSION—3 P. M.

Senate met pursuant to adjournment. Roll called; quorum present.

On motion of Senator Wood, the Senate reconsidered the vote of this morning on House amendments to Senate bill No. 648, "An act to incorporate the Gulf, Austin and Northern Rail Road Company, and to grant lands to aid in the construction thereof."

On motion of Senator Wood, the Senate then concurred in all of the fourth House amendment, except the proviso at the end of said amendment, said proviso reading as follows: "*Provided*, that part of said road, south of the city of Austin, shall be first constructed."

Then, on motion of Senator Wood, the Senate refused to concur in said proviso.

Under the rules regarding evening proceedings, Senator Dillard called up House bill No. 854, "An act creating the office of Assistant Attorney General, defining his duties and fixing his salary." Read first time.

Rules suspended, bill read second time and passed to third reading.

Rules further suspended, bill read third time and passed.

On motion of Senator Stirman, the Assistant Doorkeeper was excused for this evening.

Senator Shepard moved to take up the unfinished business of the Senate. Lost.

Senator Dwyer called up Senate bill No. 562, "An act to exempt the old Alamo church from taxation." Bill read second time and ordered engrossed.

On motion Senator Dwyer, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Moore, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—26.

NAYS—None.

Senator Ellis called up Senate bill No. 665, "An act to create a lien in favor of hotels, boarding house keepers, and proprietors of livery or other public stables, and providing for the enforcement of the same." Read second time and ordered engrossed.

On motion of Senator Ellis, the rules were suspended, bill read third time and passed.

Senator Erath called up House bill No. 852, "An act to legalize the official acts of J. S. Perry, Notary Public of Milam county." Read first time.

On motion of Senator Erath, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Erath, the rules were further suspended, bill read third time and passed.

Senator Flanagan called up Senate bill No. 705, "An act for the relief of Rusk county." Bill read second time and ordered engrossed.

On motion of Senator Flanagan, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Dillard, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Morris, Moore, Parker, Randle, Russell, Stirman, Swift and Westfall—23.

NAYS—None.

Senator Randle, for Committee on Engrossed Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills have carefully examined and compared Senate joint resolution No. 658, "Joint resolution amending sections 1, 2, 6 and 7 of article 5 ; sections 44, 45 and 46 of article 12 ; sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of article 9 ; and section 51, general provisions of the constitution, and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Friend called up Senate bill No. 660, "An act to make an appropriation to pay Captain L. H. McNelly's company for seven months service, and the Galveston companies, and the expenditure attending the same, while in the service of the State to aid the civil authorities." Read second time and ordered engrossed.

On motion of Senator Friend the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Bradshaw, Bradley, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Moore, Parker, Randle, Shepard, Stirman, Swift and Westfall—22.

NAYS—Senators Morris, Russell and Wood—3.

Senator Hobby called up House bill No. 309, "An act to grant Ann E. Lynch the privilege of collecting tolls at a certain place, and fixing the rate thereof." Read first time.

On motion of Senator Hobby, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Hobby, the rules were further suspended, bill read third time and passed.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report :

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled Senate bill No. 530, "An act for the relief of J. W. Pope, special judge." Also, Senate joint resolution No. 745, "Joint resolution prescribing the time and mode of settlement of the accounts of W. J. Long, former sheriff of Bell county, for the fiscal year, embracing a part of the years 1873 and 1874," and have this 10th day of March, 1875, at 4 o'clock P. M., presented the same to the Governor for his approval. WM. H. WESTFALL, for Committee.

A message was received from the House announcing the passage of Senate bill No. 698, "An act to incorporate the Hockley and Montgomery Railroad Company."

Senator Ireland called up House bill No. 837, "An act to amend article 2125 of the General Laws of this State, relative to wills." Read first time.

On motion of Senator Ireland, the rules were suspended, and bill read second time.

Senator Wood offered the following amendment :

Amend caption to read as follows: "An act to amend

the tenth section of 'an act concerning wills;' " approved March 16, 1840. Adopted.

Senator Wood offered the following amendment :

Strike out the words in the first section of the bill, "That article 2125, of the General Laws of this State, relative to wills, be so amended as to read as follows," and insert the words "section ten of an act to amend the tenth section of an act concerning wills, approved March 16, 1870, be so amended as to hereafter read as follows." Adopted.

Senator Shepard moved that the bill be indefinitely postponed. Lost.

The bill, as amended, then passed to third reading by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Davenport, Ellis, Friend, Ireland, Joseph, Ledbetter, Morris, Russell, Stirman, Swift, Westfall and Wood—18.

NAYS—Senators Dillard, Dwyer, Parker and Shepard—4.

The bill was then read third time and passed.

A message was received from the House, announcing the passage of House bill No. 853, "An act to incorporate the 'Waco Greys,' of the city of Waco, McLennan county."

Senator Joseph called up House bill No. 493, "An act making it a penal offense for any one to pursue any calling, profession or occupation, upon which a tax is payable, without obtaining a license therefor." Read first time.

On motion of Senator Joseph, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Joseph, the rules were suspended, bill read third time and passed.

Senator Ledbetter called up House bill No. 352, "An act to create and provide for the organization of the county of Gordon, named in honor of General John B. Gordon, of Georgia." Read second time and passed to third reading.

Rules further suspended, bill read third time and lost, by the following vote :

YEAS—Senators Camp, Flanagan, Hobby, Ledbetter, Morris, Parker, Russell, Shepard, Stirman and Swift—10.

NAYS—Senators Baker, Bradshaw, Burton, Dillard, Davenport, Dwyer, Ellis, Ireland, Moore, Westfall and Wood—11.

A message was received from the House, announcing the passage of the following House bills :

House bill No. 856. "An act to authorize the county of

Marion to purchase or build a courthouse, and to provide the means to pay for the same, and to dispose of the one now used by said county." House bill No. 645, "An act to encourage and protect the Padra Island Manufacturing Salt Company."

On motion of Senator Wood, the Senate adjourned until 9 o'clock A. M., to-morrow.

FIFTIETH DAY.

SENATE CHAMBER,
AUSTIN, March 11, 1875.

Senate met pursuant to adjournment, Senator Westfall presiding. Roll called; quorum present. Prayer by the chaplain.

The reading of the journal of yesterday was dispensed with.

Senator Ireland, Chairman Judiciary Committee, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Judiciary, to whom was referred Senate bill No. 742, "An act to refund certain moneys to James Hogue," instruct me to report the bill back, with the recommendation that it do pass.

IRELAND, Chairman.

Senator Wood, for Committee on Education, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 808, "An act to incorporate the Texas Female Institute, and donate one hundred sections of land in aid of the same," have carefully considered the same, and would most respectfully recommend that said bill do not pass, for the following reasons:

1st. The Legislature has no constitutional power to make such a donation.

2d. That it would be inexpedient to donate to this institution, unless the State was able to endow all similar institutions.

WOOD, for Committee.

Senator Ireland introduced a bill entitled "An act to authorize the judges of the district courts to cause the